

**NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS**

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

TRACINAL FRANKLIN,

Defendant and Appellant.

B210111

(Los Angeles County  
Super. Ct. No. SA065039)

THE COURT:\*

Tracinal Franklin (appellant) appeals from the judgment entered following her plea of no contest to one count of carjacking and her admission that she suffered a prior conviction for felony vandalism for which she served a prison term. (Pen. Code, §§ 215, subd. (a), 594, subd. (a).)<sup>1</sup> The trial court sentenced appellant to the low term of three years, plus a one-year enhancement for the prior prison term (§667, subd. (b)), for a total of four years in state prison. We appointed counsel to represent her on this appeal.

In September 2007, when appellant was first charged with carjacking, she pled not guilty and denied the allegation of a prior conviction. In January 2008, appellant

---

\* DOI TODD, Acting P. J., ASHMANN-GERST, J., CHAVEZ, J.

<sup>1</sup> All subsequent statutory references are to the Penal Code unless otherwise specified.

withdrew her plea of not guilty and entered a plea of not guilty and not guilty by reason of insanity. In June 2008, appellant withdrew her plea of not guilty and not guilty by reason of insanity, and entered a plea of no contest and admitted the prior conviction allegation. The trial court accepted the plea, but announced it would hold a court trial on the issue of appellant's sanity at the time she committed the offense.

The following facts were adduced at the sanity trial and from the probation officer's report: On August 12, 2007, the victim was inside her car and in the process of placing her key in the ignition. Appellant approached the victim and asked for \$1. The victim refused and appellant abruptly opened the driver's side door and struck the victim several times. Appellant threatened the victim with a bottle, grabbed the victim by her hair, and yelled for the victim to get out of the car. Appellant then pulled the victim out of the car and struck the victim, which caused the victim to fall face down on the ground. Appellant took possession of the car and fled. Police officers located appellant, who was in the victim's car, later that day. Inside the car, officers found two glass pipes with residue resembling rock cocaine and an off-white rock resembling rock cocaine.

At the sanity trial, appellant testified that she did not remember taking the victim's car and that she had been using speed, heroin, cocaine, and methamphetamines at the time. Appellant also testified to a history of paranoia, bi-polar disorder, schizophrenia, and manic depression. Dr. Joseph Simpson, a psychiatrist found to be "imminently qualified" by the trial court, examined appellant. Dr. Simpson testified that in his opinion, appellant did not suffer from any settled psychosis at the time of the offense, and there was no evidence that appellant did not appreciate that her actions were legally or morally wrong. Dr. Sanjay Sahgal, a board certified forensic psychiatrist, also examined appellant. Dr. Sahgal testified that in his opinion, appellant was able to understand the wrongfulness of her actions at the time of the carjacking. At the conclusion of the hearing, the trial court found that appellant was legally sane at the time of the offense.

After examination of the record, counsel filed an "Appellant's Brief Pursuant to *People v. Wende* (1979) 25 Cal.3d 436" in which no issues were raised.

On July 16, 2009, we advised appellant that she had 30 days within which to personally submit any contentions or issues which she wished us to consider. On August 18, 2009, appellant filed a request for appointment of new counsel. This court denied the request on August 19, 2009.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende, supra*, 25 Cal.3d 436, 441.)

The judgment is affirmed.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS.